

JUDGE'S COPY

United States District Court
Middle District of Pennsylvania

Nolan Burlark

Plaintiff

v

Civil No 1:CV-00-217

Judge Caldwell

Lycoming County Prison
Defendants

FILED
HARRISBURG

JAN 24 2001

MARY E. D'ANDREA, CLERK

Per ATB
DEPUTY CLERK

Motion For
Assignment of Counsel

- ① on this 20th day of January 2001 I Nolan Burlark hereby ask this court to assign me counsel in the above case with all do respect to the scope and nature of the affirmative duty of the trial judge to assure that the plaintiff is not deprived of his rights, he Needs a lawyer
- ② upon plaintiff request he ask that the court assign to him counsel, not exceed two, as he may desire which is

derived from the act of April 30 1790. 1 Stat. 118, that Every person upon request shall immediately be assigned counsel

- ③ plaintiff is unable to obtain counsel for reasons of financial prior to the initial appearance before a court.
- ④ this motion expresses the right of the plaintiff who is at all time mentioned herein is unable to obtain counsel but would like to have such counsel assigned at any stage of the proceedings from his initial appearance before this court.
- ⑤ unless plaintiff waives such rights to counsel the phrase from his initial appearance before this court" is intended to require the assignment of such counsel as promptly as possible after it appears that plaintiff is unable to obtain counsel.
- ⑥ The right to assignment of counsel is not limited to those financially unable to obtain counsel. if a plaintiff is unable or able to compensate counsel but still cannot obtain counsel, he is entitled to the assignment of counsel even though it may or may not be free counsel.

I declare or certify, verify or state under
penalty of perjury that the foregoing is true
and correct.

Executed on 1-20-01

Signature of petitioner

Nolan Burlark

Nolan Burlark